

## **WORKERS' COMPENSATION INDUSTRIAL COUNCIL**

**MAY 10, 2018**

Minutes of the meeting of the Workers' Compensation Industrial Council held on Thursday, May 10, 2018, at 1:00 p.m., Offices of the West Virginia Insurance Commissioner, 900 Pennsylvania Avenue, Room 912, Charleston, West Virginia.

### **Industrial Council Members Present:**

Kent Hartsog, Chairman  
Delegate Mick Bates  
Debra Scudiere  
Bengy Swanson  
Delegate Steve Westfall

### **1. Call to Order**

Chairman Kent Hartsog called the meeting to order at 1:00 p.m.

### **2. Approval of Minutes**

Chairman Hartsog asked for a motion to approve the March 8, 2018, minutes.

Debra Scudiere made the motion to approve the March 8, 2018, minutes. The motion was seconded by Bengy Swanson and passed unanimously.

### **3. New Business**

#### **Safety Report Discussion – Erin Hunter, General Counsel, OIC**

Erin Hunter, General Council, OIC, discussed the “draft report” of the 2018 Workers' Compensation Safety Initiatives Report. The Workers' Compensation Industrial Council is mandated by statute to prepare this report every two years and submit it to the West Virginia Legislative Joint Committee on Government and Finance. It is due on July 1, 2018. The report was prepared in-house.

Ms. Hunter explained that it is a survey report which is distributed electronically to the top 10 carrier groups based on market share in the State, as well as to all of the self-insured employers in the State.

Chairman Hartsog asked the Council members if they have any questions about the report. Ms. Hunter took questions from Council members regarding the report.

Chairman Hartsog asked for a motion to approve the report so that the Insurance Commissioner would have ample time to update the report prior to submission to the Legislature on July 1, 2018, and time for Council members to respond back to the Insurance Commissioner if they need to make any changes to the report prior to filing the report with the Legislature.

Debra Scudiere so moved, and the motion was seconded by Bengy Swanson and passed unanimously.

#### **4. Office of Judges' Report – Rebecca Roush, Chief Administrative Law Judge**

Chief Judge Rebecca Roush presented the Office of Judges' Report and answered several questions from Council members regarding the report.

Chairman Hartsog asked Judge Roush why the compliance percentages are dropping on the time standards noted in the OOJ Report. Chairman Hartsog asked Judge Roush to investigate it further and report back at the next meeting.

#### **5. Old Business**

Chairman Hartsog asked if anyone had old business to bring up before the Council.

Delegate Mick Bates asked about the status of the Old Fund and where it currently stands. Chairman Hartsog requested that a report regarding the status of the "Old Fund" be placed on the agenda for discussion. Erin Hunter stated that Melinda Kiss will give an updated report regarding the "Old Fund" and HB 4628 at the July meeting.

Chairman Hartsog asked Melinda Kiss, Assistant Commissioner, Finance, about the actuarial report. There was discussion pertaining to the actuarial report. Ms. Kiss stated that the OIC will not have the final updated numbers until October 15, 2018. Therefore, the

Financial Statements and Audit Results will be provided at the November 15, 2018, Industrial Council meeting.

**6. General Public Comments**

Chairman Hartsog asked if anyone from the public would like to address the Council. There were no comments from the public.

**7. Next Meeting**

The next meeting is scheduled for Thursday, July 19, 2018, at 1:00 p.m.

**8. Adjourn**

There being no further business, Chairman Hartsog asked for a motion to adjourn. Bengy Swanson made the motion to adjourn the meeting. The motion was seconded by Debra Scudiere and passed unanimously.